

1 JAMES DAL BON, BAR NO. 157942  
2 DAL BON AND WANG  
3 21 South First Street #613  
San Jose, CA 95113  
Telephone: (408) 292-1040  
Fax: (408) 292-1045

4 Attorney for Plaintiff  
5 Leobardo Cuesta

6 LAURA E. INNES, BAR NO. 124259  
SIMPSON, GARRITY & INNES  
7 Professional Corporation  
8 601 Gateway Boulevard, Suite 950  
South San Francisco, CA 94080  
Telephone: (650) 615-4860  
9 Fax: (650) 615-4861

10 Attorney for Defendants  
Imahara Produce, Inc. and Wayne Imahara  
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12  
13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15

16 LEOBARDO CUESTA, ) Case No. C-07-03443 PVT  
17 Plaintiff, ) STIPULATION & [PROPOSED]  
18 v. ) ORDER TO CONTINUE CASE  
19 IMAHARA PRODUCE, INC., WAYNE ) MANAGEMENT CONFERENCE  
IMAHARA, and DOES 1-10, )  
20 Defendants. ) DATE: October 9, 2007  
21 ) TIME: 2:00 p.m.  
22 ) CTRM: 5  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

The parties in the above entitled action jointly submit this Stipulation and Proposed Order to Continue the Case Management Conference in this matter.

WHEREAS the Case Management Conference is scheduled for October 9, 2007.

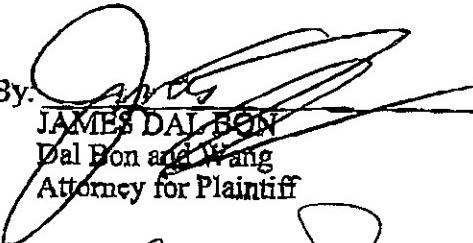
WHEREAS the Parties have reached an agreement to settle the case in its entirety.

WHEREAS the Parties are documenting the Settlement and intend to dismiss the case thereafter.

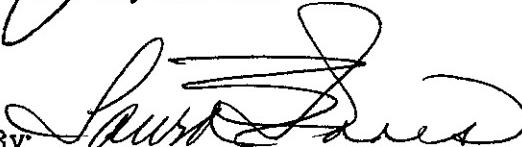
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1 THEREFORE the Parties jointly request to extend the Case Management Conference for  
2 45 days to allow them to finalize the Settlement and file the Request for Dismissal.  
3  
4

5 DATED: October 2, 2007

6 By:   
7 JAMES DAL BON  
8 Dal Bon and Wang  
9 Attorney for Plaintiff

10 DATED: October 3, 2007

11 By:   
12 LAURA E. INNES  
13 Simpson, Garrity & Innes, PC  
14 Attorney for Defendant

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16 Date: \_\_\_\_\_

17 Hon. Patricia V. Trumbull  
18 Magistrate Judge of the U.S. District Court

**PROOF OF SERVICE BY MAIL**

I, the undersigned, hereby declare that I am over the age of eighteen years and not a party to the within action. My business address is 601 Gateway Boulevard, Suite 950, South San Francisco, California 94080.

On the date indicated below, I served by mail a true copy of the following documents:

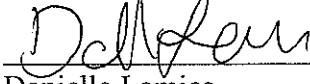
**STIPULATION & [PROPOSED] ORDER TO CONTINUE CASE  
MANAGEMENT CONFERENCE**

I am readily familiar with the practice of this business for collection and processing of documents for mailing with the United States Postal Service. Documents so collected and processed are placed for collection and deposit with the United States Postal Service that same day in the ordinary course of business. The above-referenced document(s) were placed in (a) sealed envelope(s) with postage thereon fully prepaid, addressed to each of the below listed parties and such envelope(s) was (were) placed for collection and deposit with the United States Postal Service on the date listed below at San Francisco, California.

James Dal Bon, Esq.  
Dal Bon and Wang  
12 South First Street, #613  
San Jose, CA 95113

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 3, 2007, at South San Francisco, California.

  
Danielle Lamica